

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

THOMAS HOUGE,	:	
Plaintiff	:	
v.	:	Case No. 3:22-cv-218-KAP
TROOPER JASON KIDD, <i>et al.</i> ,	:	
Defendants	:	

Memorandum Order

In November 2022 Thomas Houge sent the Court a two-page letter complaining about his arrest for disorderly conduct at a gas station in Bedford on May 28, 2022 and about his subsequent detention at the Bedford County Correctional Facility. The arrest appears to have resulted in a prosecution at Commonwealth v. Houge, CP-05-CR-248-2022 (C.P.Bedford). Houge's correspondence was docketed as a complaint and I advised plaintiff Houge that he needed to pay the filing fee or submit a motion to proceed *in forma pauperis*. Houge filed a motion to proceed *in forma pauperis* with a new version of the complaint dated February 4, 2023 on a standard 11-page Administrative Office Form. That version of the complaint, at ECF no. 12, is the operative version. On February 14, 2023, and again on February 22, 2023, I told plaintiff Houge that he must provide copies of the complaint and directions for service on each defendant. After that, Houge began sending correspondence and papers styled as motions for summary judgment, ECF no. 16, for temporary restraining orders, ECF no. 17, ECF no. 19, ECF no. 20, ECF no. 25, ECF no. 26, ECF no. 34, and ECF no. 39, and for a writ of habeas corpus, ECF no. 34. Houge seems to consider some of the papers as amended complaints adding defendants and claims.

Since February 2023 the Clerk's Office has been mailing Houge forms for service and waiting to receive service copies of the complaint. It is still not clear at this point who Houge intends to serve as defendants because some of his papers have many more names in the caption than were on the Complaint itself. At some point in this process Houge was transferred to Torrance State Hospital, apparently for a mental health evaluation in connection with alleged actions in August 2022 that led to further criminal charges. See Commonwealth v. Houge, CP-05-CR-425-2022 (C.P.Bedford) and Commonwealth v. Houge, CP-05-CR-322-2023 (C.P.Bedford). Houge notified the Clerk of his transfer to Torrance in June 2023.

According to public docket sheets all three criminal cases involving Houge resulted in pleas and sentences on August 4, 2023. The docket sheets conflict about whether all the sentences are concurrent but even if they were consecutive it would appear Houge would have been eligible for release in August 2023.

Houge's latest two pieces of correspondence are a letter dated July 26, 2023 from Torrance that refers to "31 defendants," and a letter dated July 3, 2023 from the Bedford County Correctional Facility Bedford County not received until August 8, 2023 that refers to "adding 10 more defendants." Houge has repeatedly been sent forms and in mid-August 2023 sent the Clerk money for copy work from 201 Arceme Avenue Lexington, KY 40505 (he did not request that this be used as his official address), but he has not yet sent complete sets of complaints and forms for service on anyone.

Plaintiff's pending motions for a temporary restraining order ECF no. 25, ECF no. 26, ECF no. 34, and ECF no. 39, and for a writ of habeas corpus, ECF no. 32 are denied. The motions for TRO are denied without prejudice for the same reasons as the previous ones: they are either not really motions for TRO, or if they are they do not comply with Rule 65 (most particularly with respect to notice), or they do not even relate to the claims or defendants in the complaint. They are also probably rendered moot by Houge's release, which would also negate any claim of irreparable injury.

The plaintiff is advised, at what appears to be his most recent addresses, that he must provide the Clerk with copies of the complaint and directions for service on each defendant. Failure to provide copies for service may result in this matter being dismissed for failure to prosecute.



DATE: September 25, 2023

Keith A. Pesto,
United States Magistrate Judge

Notice by U.S. Mail to:

Thomas Houge #22107
Bedford County Correctional Facility
425 Imlertown Road
Bedford, PA 15522

Thomas Houge
c/o 201 Arceme Avenue
Lexington, KY 40505